

JAN 14 1999

Paul J. Petruccelli
Senior Food and Drug Counsel
Kraft Foods, Inc.
Three Lakes Drive
Northfield, Illinois 60093

Re: Docket No. 98P-1121

Dear Mr. Petruccelli:

This is in response to your application to the Food and Drug Administration (FDA) for a temporary permit to market test, in interstate commerce, a product to be designated as Grated Parmesan Cheese that will deviate from the U.S. standards of identity for Parmesan cheese (21 CFR 133.165) and Grated cheeses (21 CFR 133.146) in that the curing period will be six months rather than ten months. In all other respects, the test product will conform to the standards for parmesan cheese and grated cheeses.

For the purpose of this permit, the name of the test product will be "100% Grated Parmesan Cheese Original." The information panel of the labels will bear nutrition labeling in accordance with 21 CFR 101.9.

Relying on the representations made in your application, we are hereby granting your request to make interstate shipments for test marketing purposes of 86 million pounds of grated parmesan cheese in retail containers of various sizes. Finished labels must be submitted to the Branch Chief, Food Standards Branch, HFS-158, Division of Programs and Enforcement Policy, Office of Food Labeling, before the product is shipped in interstate commerce. The test product will be manufactured at Kraft Foods, Inc., 10800 Avenue 184, Tulare, California 93274. The product will then be shipped to Kraft Foods, Inc., 1007 Town Line Road, Wausau, Wisconsin 54401, where it will be aged, grated, and packaged for distribution. The product will be distributed by Kraft nationwide. Each of the ingredients used in the food must be declared on the labels as required by the applicable sections of 21 CFR part 101.

This permit will be effective for 15 months, beginning when the test product is introduced into interstate commerce, but not later than 90 days after notice of issuance of the permit is published in the Federal Register. FDA will delay publication of the notice of issuance of the permit for 120 days to accommodate the six month aging process for the test product. You will notify FDA, in writing, of the date the 15-month period will begin, as soon as it is determined.

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While this permit is in effect, FDA will refrain from recommending regulatory action against shipments of "100% Grated Parmesan Cheese Original" covered by this permit on the grounds that the food fails to comply with 21 CFR 133.165 and 21 CFR 133.146.

Sincerely yours,

Kenneth J. Falci, Ph.D.
Acting Director
Office of Food Labeling
Center for Food Safety
and Applied Nutrition

CC:
GCF-1
HFA-224
HFS-1
HFS-4
HFS-22 (P#59206)
HFS-150
HFS-151
HFS-155
HFS-158 (Carey, r/f)
HFS-636 (Wade)
R/D:HFS-158:LCarey:4/10/98:Kraft.TMP
Revised:HFS-158:LCarey:5/6/98
Revised:HFS-158:LCarey:5/8/98 (per GC comments)
Init:HFS-158:FBSatchell:5/11/96
HFS-155:ECampbell:11/24/98
F/T:sdg:1/13/99